

CHAPTER 16 - COUNTY FORESTS AND RECREATIONAL TRAILS

16.01	General, Administrative and Terms
16.02	Designation of County Forests
16.03	Committee Appointment
16.04	Responsibilities and Duties of the Committee
16.05	County Forest Law Administration
16.06	Forest Finances
16.07	County Forest Use Regulations
16.08	Regulation of County Forest Roads, Routes, Trails and Lakes
16.09	Legal Action
16.10	Penalty

16.01 - GENERAL, ADMINISTRATIVE AND TERMS.

- (1) PURPOSE. This chapter shall prescribe the rules and regulations for the establishment, protection, development and management of the County Forest and recreational trails to provide a sustained yield of forest products for commercial use along with the associated benefits of soil and water conservation, scenic and recreational values and fish and wildlife resources; all in cooperation with the Department of Natural Resources.
- (2) SCOPE. Except when the context provides otherwise, the provisions of this chapter shall apply to all lands, structures and property owned, leased or administered by the County now held or hereafter acquired for County Forest or recreational purposes under the management, supervision and control of the Forestry, Land and Parks Committee, hereafter referred to as the "Committee".
- (3) DEFINITIONS. For the purpose of this chapter:

Administrator. The Lincoln County Forest Administrator.

All-Terrain Vehicle. As defined in §340.01(2g), Wis. Stats., means an engine driven device which has a net weight of 900 pounds or less, which has a width of 48 inches or less, which is equipped with a seat designed to be straddled by the operator and which is designed to travel on 3 or more low-pressure tires. A low-pressure tire is a tire which has a minimum width of 6 inches, which is designed to be mounted on a rim with a maximum diameter of 12 inches and which is designed to be inflated

with an operating pressure not to exceed 6 pounds per square inch as recommended by the manufacturer.

All-Terrain Vehicle Route. A highway or sidewalk designated for use by all-terrain vehicle operators by the governmental agency having jurisdiction as authorized by §23.33, Wis. Stats.

All-Terrain Vehicle Trail. A marked corridor on public property or on private lands subject to public easement or lease, designated for use by all-terrain vehicle operators by the governmental agency having jurisdiction, but excluding roadways or highways except those roadways which are not seasonally maintained for motor vehicle traffic or are designated as ATV routes.

Approved Snowmobile and All-Terrain Vehicle Trails. Includes all snowmobile and all-terrain vehicle trails that have been designated by the County Snowmobile and All-Terrain Vehicle Coordinator or the Forestry, Land and Parks Committee, that receive State aids under §350 (Snowmobile) and §23.33 (All-Terrain Vehicles), Wis. Stats.

Bike Trail (Nonmotorized). A marked corridor on public property or on private lands subject to public easement or lease designated for use by bike riders by the governmental agency having jurisdiction over those lands.

Board. The Lincoln County Board of Supervisors.

Closed Road or Trail. A road or trail will be considered closed to motorized vehicles when designated by the presence of gates, signs, rocks, earthen berms, or any other device placed by the County for the purpose of blocking a road.

Committee. The Lincoln County Forestry, Land and Parks Committee of the Lincoln County Board of Supervisors.

County. Lincoln County.

County Forest. Those lands owned by Lincoln County and entered under the County Forest Law §28.11, Wis. Stats., either as forest lands or as special use designated lands.

County Forest Plan. The Lincoln County Forest Comprehensive Land Use Plan.

County Forest Road System. That system on which Lincoln County receives State of Wisconsin, Department of Transportation road aids and are indicated as County Forest roads in the County Forest Comprehensive Land Use Plan.

Cross Country Travel. Any travel through the County Forest that is not on primary or secondary roads.

Damage. Any occurrence on the landscape that is detrimental or could have a potentially detrimental effect on the natural resources of the County Forest as determined by the Lincoln County Forestry Department.

Department. The Lincoln County Forestry, Land and Parks Department.

Designated Trail. A trail signed for a specific recreational activity that has been approved for that use by the Lincoln County Forestry, Land and Parks Committee.

DNR. Wisconsin Department of Natural Resources.

Equestrian Trail (hereinafter referred to as "horse"). A marked corridor on public property or on private lands subject to public easement or lease designated for use by horseback riders by the governmental agency having jurisdiction over those lands.

Highway Licensed Vehicle. Any motorized vehicle which is licensed for use on public highways or is intended to be licensed for such use. These vehicles are allowed on primary roads, secondary roads that are opened to their use, and parking areas except when such facilities are closed.

Hiking Trail. A marked corridor on public property or on private lands subject to public easement or lease designated for use by hikers by the governmental agency having jurisdiction over those lands.

Hunter Walking Trail. A closed road or trail that is managed to provide access for traditional, nonmotorized hunting. Management may include seeding or mowing of roads and trails, planning cutting schemes to diversify timber age classes and designing loop-type trail systems.

Motorized Vehicle. Any vehicle, including a combination of 2 or more vehicles or an articulated vehicle, which is self-propelled, except a vehicle operated exclusively on a rail.

Nonmotorized. Use of a motor powered vehicle is prohibited other than when engaged in management activities or contract operations authorized by the Forestry Department.

Official Snowmobile and Winter All-Terrain Vehicle Trail Closing. That date and time selected and announced by the County Snowmobile Coordinator designating that the approved trails are closed for snowmobile and/or winter all-terrain vehicle use. Trails may not remain open later than March 31.

Official Snowmobile and Winter All-Terrain Vehicle Trail Opening. That date and time selected and announced by the County Snowmobile Coordinator designating that the approved trails are opened for snowmobile and/or winter all-terrain vehicle use. Winter ATV trails may be opened for use one week after the official opening of the State-funded snowmobile trail system and close when the temperature on the trail at a point four feet above the trail surface is 28° Fahrenheit or higher. Trails may not be opened earlier than December 1.

Official Summer All-Terrain Vehicle Trail Closing. Summer all-terrain vehicle trails are closed from December 1 to May 1 or when posted closed. Closed periods may be extended due to conditions that could cause damage or present a safety hazard.

Off-Road Vehicle. Any motorized vehicle designed for or capable of cross-country travel on or immediately over land, sand, snow, ice, marsh, swampland, or other terrain, which would include, but not be limited to, such vehicles as four-wheel drive units, dune buggies, all-terrain vehicles, motorcycles, motorbikes, snowmobiles, amphibious vehicles, air-cushioned vehicles, air boats, and golf carts. Motorbikes which are not highway licensed are not allowed on the County Forest.

Primary Roads. Roads which are constructed and maintained according to County Forest road standards and are eligible for County Forest road aid payments. These roads must be designated as a snowmobile or ATV route to be open to snowmobile or ATV use.

Quiet Area. An area that is managed for minimal motorized travel.

Secondary Roads. Roads or woods trails which have been approved by the Lincoln County Forestry, Land and Parks Department; are not eligible for County Forest road aid payments; have been developed primarily for use in the management and protection of the forest or for recreational use and receive maintenance or improvements periodically by the County Forestry staff or its agents.

Snowmobile. As defined in §340.01(58a), Wis. Stats., any engine-driven vehicle of a type which utilizes sled type runners, skis or an endless belt tread or any combination of these or similar means of contact with the surface upon which it is operated, but does not include such vehicles which are either manually propelled or driven by a motor of 4 horse power or less and operated only on private property.

Snowmobile or All-Terrain Vehicle Coordinator. The County Forest Administrator, his/her assistant or assistants and such other individuals designated by the Forestry, Land and Parks Committee.

Snowmobile Route. A highway or sidewalk designated for use by snowmobile operators by the governmental agency having jurisdiction as authorized by §350.04, Wis. Stats.

Snowmobile Trail. A marked corridor on public property or on private lands subject to public easement or lease, designated for use by operators of snowmobiles by the County Snowmobile Coordinator, but excluding highways, except those highways on which the roadway is not normally maintained for other vehicular traffic by the removal of snow or are designated as snowmobile routes.

(4) RULES, PERMITS, EXCEPTIONS.

- (a) Rules. Rules and regulations may be made by the Committee governing the use and enjoyment of County Forest, recreational facilities, trails, parks, waysides, special use areas, playgrounds, beaches, boat landings, campgrounds, lakes, streams and the facilities thereof. Any person who violates such rules or regulations may be excluded from the use of such facility and be subject to the penalties provided for in §25.04 of this Code of Ordinances.
- (b) Permits. Any person to whom a permit is issued shall be bound by the provisions of all ordinances of the County.
  - 1. *Special Events*. No organized events shall be permitted on County property administered by the Forestry, Land and Parks Department without approval by said department or the Forestry, Land and Parks Committee.
- (c) Exceptions. Nothing in this chapter shall prohibit or hinder the Committee, its administrator, supervisors, park caretakers or other authorized agents or any peace officers from performing their official duties.

16.02 - DESIGNATION OF COUNTY FORESTS.

For the purpose of proper and complete identification all County-owned forest and special use lands now held and entered under the Wisconsin County Forest Law by the County, or hereafter acquired for forestry or other purposes advantageous to the County, are established and designated as County Forests, and such lands shall be shown on the official County Forest map displayed in the County Forestry office in the Lincoln County Land Resource Center in Merrill. County Forest blocking within designated County Forest boundaries will be a priority in land acquisitions or land trades brought before the Lincoln County Board.

16.03 - COMMITTEE APPOINTMENT.

The County Board hereby assigns administration of the County Forestry, Land and Parks Department to the Forestry, Land and Parks Committee composed of 5 members and hereinafter referred to as the "Committee".

16.04 - RESPONSIBILITIES AND DUTIES OF THE COMMITTEE.

- (1) The Committee is hereby empowered to acquire land within designated County Forest boundaries by purchase, gift or bequest or by exchange of County-owned lands outside such area for the purpose of blocking the forest for better administration or other purposes advantageous to the County, subject to County Board approval.
- (2) In conformity with such procedures established by the Committee or County Board rules, the Committee may purchase, acquire, sell, trade or dispose of instruments, tools, supplies and equipment required for the operation of the Department.
- (3) The Committee is authorized to enter into agreement with the Lake States Forest Experiment Station, the College of Agriculture of the Wisconsin University with the endorsement of or directly with the Department of Natural Resources for the use of tracts of County Forest lands, labor, materials and equipment for conducting forest research.

- (4) With Board approval and after obtaining Department of Natural Resources approval, the Committee may grant permits to prospect for ore or minerals upon County lands under the jurisdiction of this Committee. The Committee may issue permits to remove sand, gravel, or other nonmetallic materials from County Forest lands only to units of government. Any sales to non-governmental entities shall be let by competitive bid.
- (5) The Committee shall hire a Forest Administrator to act as the agent of the Committee, carry out the Committee's directives, and execute assignments outlined in the Lincoln County Forest Comprehensive Land Use Plan all within the framework outlined in §28.11 Wis. Stats.
- (6) The Committee or its agent shall establish and maintain in appropriate centers a forest headquarters for office space and the housing of machinery, tools, equipment and supplies needed in conducting forest operations.
- (7) The Committee or its agent shall cooperate with the Wisconsin Department of Natural Resources in preparing budgets for County Forest administration, capital and direct expenditures of forestry funds advanced by the Department for submission to the County Board.
- (8) The Committee or its agent shall do all things necessary to protect the forest, recreational trails and other resources from fire, insects, disease, trespass and from damage by animals or from other causes, in cooperation with the Department of Natural Resources.
- (9) The Committee or its agent shall regulate the disposal of slash.
- (10) The Committee or its agent shall locate survey lines and appropriately monument corners of County Forest lands.
- (11) The Committee or its agent shall construct, improve and maintain a system of forest roads, trails and fire breaks and regulate use thereof and purchase or secure easements for accessways required to cross privately owned lands.
- (12) The Committee or its agent shall conduct forest improvement work including reforestation, release cuttings, thinnings, pruning and weeding by any method including spraying or dusting of chemicals. Dispose of all salvaged materials.
- (13) The Committee or its agent shall cooperate with the Department of Natural Resources in the determination of the allowable annual cut, through an inventory of growing stock and increment, establishment of cutting compartments and implementation of the County Forest Comprehensive Land Use Plan.
- (14) The Committee or its agent shall manage the County Forest resources and sell timber stumpage in accordance with the County Forest Comprehensive Land Use Plan and in cooperation with the Department of Natural Resources.
- (15) The Committee or its agent shall manage and maintain regulatory control of all County recreation areas, establish, construct and maintain picnic grounds, waysides, camps and campsites, public access roads, motorized and nonmotorized recreational trails, boat landings, scenic areas, nature trails and designate, mark and protect places of natural or historic significance.
- (16) The Committee or its agent shall cooperate with the Department of Natural Resources on all matters relating to wildlife and fish management within the County Forest where a memorandum of understanding between the County Board and the Department exists.
- (17) The Committee or its agent shall do special forest or recreation development work on other public or private lands not included in the County Forest, including lands such as school forests, community forests, County parks, watersheds, reduction of hazards, public highways and recreational trails when deemed to be in the best interest of the County.

#### 16.05 - COUNTY FOREST LAW ADMINISTRATION.

Upon Committee approval of lands for entry under the County Forest Law, the County Forestry, Land and Parks Administrator shall take all necessary action to effect such application as provided by statute.

Withdrawal of land entered under the County Forest Law shall be in the manner prescribed by §28.11(11), Wis. Stats.

#### 16.06 - FOREST FINANCES.

- (1) All allotments from the Department of Natural Resources to the County under §28.11(8)(b), Wis. Stats., for the purchase, development, preservation and maintenance of the County Forest lands, shall be deposited in the County Forestry Aid Fund. All unexpended County Forestry Aid Funds shall be classified as "restricted" in the fund balance.
- (2) The following procedure will apply in crediting income from the Forestry, Land and Parks Department: All monies received from firewood/bough permits, gravel, contract renewal fees, bond forfeitures, fees and use permits, easements, sale of building materials, sale of surplus materials and equipment, fire or other damage collections or other revenue received by the Forestry, Land and Parks Department shall be recorded as revenue in the County Forestry Fund. All monies received from camping fees, shelter rentals and horse/cross-country ski donations shall be recorded as revenue in the Parks Fund. One hundred percent of gross timber sale stumpage shall be deposited in the Forest Land Revenue Account. If the Forestry, Land and Parks Department has an outstanding loan to the Department of Natural Resources, 20 percent of gross timber sale stumpage shall be applied to repay severance loan. Ten percent of gross timber sale stumpage shall be recorded as a liability and apportioned among the towns in accordance with the County Forest Law. Twenty percent of gross timber sale stumpage shall be recorded as revenue in the General Fund. All aforementioned revenues in excess of expenses shall be closed to the Undesignated Account. The balance in this account shall not exceed 75 percent of the previous year's expenses. Monies in excess of 75 percent of the previous year's expenses shall be transferred to the general fund after the annual audit has been completed. In any year which has an operating deficit, monies will be applied from the Undesignated Account to cover expenses until the balance is drawn down to the limit of 25 percent of the previous year's expenses. If this does not cover the full deficit, the 20 percent of revenues recorded in the General Fund will be reduced by an amount sufficient to cover the remaining shortfall.

#### 16.07 - COUNTY FOREST USE REGULATIONS.

##### (1) RECREATIONAL USE.

- (a) The Committee may designate suitable areas for forest parks, campsites, picnic grounds, waysides, boat access, recreational trails and special use lands, and is authorized to provide needed conveniences, including wells and sanitary facilities. Such areas shall be for public use as prescribed by the Committee.
- (b) All County Forest roads, trails and fire lanes that are cabled, gated, rocked, bermed, signed, stumped or closed by another means by the direction of the County Forestry, Land and Parks Administrator shall be closed to all vehicular travel, except by written permission of the Administrator. (Am. #2011-09-575)
- (c) Overnight camping, including tents, trailers, cars and trucks, portable hunting or fishing cabins, may be permitted in the County Forest without charge for a period not to exceed 2 weeks time. Any camper who violates the rules and regulations of this chapter or of good conduct, including cutting or defacing timber, carelessness with fire, violation of game and fishing laws of the State, or improper disposal of garbage and litter shall be subject to ejection from the County Forest and subject to the penalties provided by County and State laws.
- (d) The dumping of rubbish, debris, dirt, stone or any other materials shall be prohibited on all County Forest lands. Users, including berry pickers, hunters, fishers, tourists and all others who visit the County Forests are forbidden to leave litter anywhere in the forest or in its lakes or streams.
- (e) Campers using campsites in areas requiring a fee shall pay the required fee before placing any equipment or belongings at the campsite.

- (f) Persons using County Forest lands or facilities shall observe all County rules and regulations or be subject to ejection from the County Forest and subject to the penalties provided by County and State laws.
  - (g) Hunting or trapping is not allowed north of Bear Trail Road on the Wirth Special Use Property located in the E1/2 of Section 17 T34N-R8E Town of Harrison. (Cr. #2011-09-575)
- (2) ELEVATED PLATFORMS AND PORTABLE TREE STANDS.
- (a) The construction or use of any permanently elevated platform, commonly referred to as a permanent tree stand, on the Lincoln County Forest land is prohibited.
  - (b) Screws, nails, lag screws, screw steps, spikes, or other similar devices are damaging to trees, therefore they are prohibited for use in trees on the Lincoln County Forest.
  - (c) Portable tree stands may be used on Lincoln County Forest lands providing that they do not damage trees, they have the owner's name, address, and telephone number clearly printed on or attached to the stand, they are not erected prior to September 1, and are completely removed not later than January 7 of the following year.
  - (d) Elevated platforms and portable tree stands found in violation of this Code will be removed by the Forestry Department employees and destroyed or sold at County auction. A person found in violation of any portion of the aforementioned ordinance is subject to a citation and forfeiture as prescribed in this chapter.
- (3) GROUND STANDS AND BLINDS. All ground stands or blinds must be completely made of materials natural to the area such as dead leaves, branches, bark, or naturally fallen trees. Wire, nails, screws, nylon rope or nonbiodegradable materials may not be used to fasten materials together or to trees. The construction or use of any ground blind or stand which is constructed of other than natural materials is prohibited.
- (4) DEFACING COUNTY PROPERTY PROHIBITED. No person shall scar, deface, remove or destroy any archaeological or geological features, drive nails, screws or other metal into trees or remove, destroy or deface any signs, gates, fences, survey markers, roads, trails, buildings or other County property.
- (5) COLLECTION OF MATERIALS PROHIBITED. Collection or removal of materials, such as but not limited to: nuts, fruits, berries, driftwood, wild flowers, ground pines, mosses or mushrooms for resale or for commercial purposes is prohibited unless a permit is obtained for such activities from the Administrator or authorized personnel.
- (6) CUTTING, REMOVING, OR TAPPING TREES PROHIBITED. (Am. #2011-09-575) Cutting or removal of vegetation for shooting lanes, Christmas trees, firewood, seedlings, or evergreen boughs or the tapping of trees for sap collection is prohibited unless a permit is obtained for such activities from the Administrator or authorized personnel.
- (7) REMOVAL OF MATERIALS PROHIBITED. Removal of materials such as rocks, sand, gravel, topsoil or clay from the County Forest is prohibited unless a permit is obtained for such activities from the Administrator or authorized personnel.
- (8) ATV USE DURING HUNTING SEASON.
- (a) During the bear harvest season, ATVs may be used behind gates, rocks and berms to extract animals from the Lincoln County Forest. Hunters must call the Sheriff's Department at 715-536-6272 and report the following information: back tag number and general location of the site of extraction.
  - (b) During the deer archery season, ATVs may be used behind gates, rocks and berms to extract animals from the Lincoln County Forest. Hunters must call the Sheriff's Department at 715-536-6272 and report the following information: back tag number and general location of the site of extraction.

- (c) During all deer rifle harvest seasons, ATVs may be used behind gates, rocks and berms to extract animals from the Lincoln County Forest.

(9) TIMBER CUTTING.

- (a) Commercial Cutting. Commercial cuttings shall be set up as timber sales with cooperation of the DNR and in compliance with provisions of §28.11(6), Wis. Stats.
  - 1. Commercial cuttings shall include all cutting where stumpage is sold under contract in which the primary objective of the cutting is the marketing of the timber products, including logs, ties, poles, posts, pulpwood, piling, Christmas trees and boughs or other forest products.
  - 2. Proposed timber sales shall be submitted to the Committee by the County Forest Administrator after all provisions relating to forestry practice have been endorsed by a forester of the Department of Natural Resources.
  - 3. Contract specifications for each cutting operation pertaining to payment and financial responsibility of the bidder shall be determined by the Committee.
  - 4. Terms governing these timber sales will be stated in written contracts between the County and the contractor, and shall require final approval of the Committee.
  - 5. In timber sales where the "lock box haul permit system" is in use, the transportation of wood products past a lock box without depositing the proper documentation as designated in the timber sale contract is prohibited. The presence of a load of wood products exiting a timber sale and seen beyond the lock box for that timber sale without proper documentation deposited in the lock box shall be considered prima facie evidence of theft.
- (b) Cultural Cutting. Cultural cutting will follow recommendations as set forth in the County Forest Comprehensive Land Use Plan with cooperation of the DNR. Cultural cuttings shall include thinnings, release cuttings, sanitation cuttings and improvement cuttings to remove trees of inferior species, form or condition for stand improvement. Materials cut in such operation may be used by the Forestry Department, given to other County agencies or sold.
- (c) Salvage Cutting. Salvage cutting will follow recommendations as set forth in the County Forest Comprehensive Land Use Plan with cooperation of the DNR. Salvage cuttings include the cutting of timber damaged by any means. Material cut from this type of operation may be used by the Forestry Department, given to other County agencies or sold.

(10) REGULATING THE GATHERING OF MISCELLANEOUS FOREST PRODUCTS ON COUNTY LAND; TREATY RIGHTS PARTICIPANTS.

- (a) Any treaty rights participant interested in gathering firewood, tree bark, maple sap, lodge poles, boughs, marsh hay or other miscellaneous forest products, except fruits, seeds or berries not enumerated in County ordinances, from County land shall obtain a County gathering permit from the County Forestry office. The County shall respond to the gathering permit request no later than 14 days after receipt of the request. The gathering permit shall indicate the location of the material to be gathered, the volume of material to be gathered and conditions on the gathering of the material necessary for conservation of the timber and miscellaneous forest products on the County land or for public health or safety.
- (b) The County may not deny a request to gather miscellaneous forest products on County property under this subsection unless the gathering is inconsistent with the management plan for that property; the gathering will conflict with the preexisting rights of a permittee or other person possessing an approval to conduct an activity on the property, including a contractor of the County; or is otherwise inconsistent with conservation or public health or safety.

16.08 - REGULATION OF COUNTY FOREST ROADS, ROUTES, TRAILS AND LAKES. (Am. #2012-06-590)

- (1) [COMMITTEE OR ADMINISTRATOR TO REGULATE USE.] The Committee or Administrator shall determine the periods and hours when the County Forest roads and trails shall be open to the public

and the periods, seasons of the year and hours when the same shall be closed to the public, if any. The Committee or administrator shall further direct and regulate the County Forest roads and trails systems as to use, access, speeds and parking facilities. Locations and uses of roads and trails should be consistent with efficient fire control, forestry management and recreational use of County-owned lands.

(2) GENERAL RESTRICTIONS (ALL USES) ON ROADS, ROUTES, TRAILS AND LAKES.

- (a) No unauthorized person shall ride a horse, bike or drive a motorized vehicle on any secondary road under the jurisdiction of the Lincoln County Forestry, Land and Parks Department between the dates of March 31 and May 1 or when posted closed.
- (b) No person can gain access to or remove forest products from private land over County property without first obtaining a permit for said use.
- (c) No person shall cause destruction to any natural growth (unless authorized), cause erosion, rutting, damage a stream, lake bed or wetland or do any other type of environmental degradation.
- (d) No person shall operate an all-terrain vehicle or UTV with tire chains or studded tires on any approved snowmobile trail, all-terrain vehicle trail, or any land administered by the Forestry, Land and Parks Department unless authorized by the County Forest Administrator or the Forestry, Land and Parks Committee.
- (e) No person shall operate any motorized vehicle off from any approved snowmobile or all-terrain vehicle trail or established logging road. This activity, commonly referred to as "cross country travel", is strictly prohibited on any Lincoln County Forest property.
- (f) No person shall operate a motorized vehicle at a rate of speed that is unreasonable or improper under the circumstances, in any careless way so as to endanger the person or property of another.
- (g) No person shall operate an all-terrain vehicle, UTV, boat or snowmobile which has been mechanically or otherwise altered from the manufacturer's specifications so as to generate additional speed, traction, or noise.
- (h) No person shall operate a motorized vehicle on the private property of another without the consent of the owner or lessee. Failure to post private property does not imply consent for snowmobile or all-terrain vehicle use.
- (i) Operation of snowmobiles, all-terrain vehicles and UTVs by operators is restricted and defined in §§350.05 and 23.33(5), Wis. Stats.
- (j) No person shall operate a motor vehicle on primary roads in excess of the posted weight limit or if the road is posted closed.
- (k) No person shall operate any unregistered or unlicensed motor vehicle on any County Forest road, route, trail or lake.
- (l) No person shall deface, destroy or remove any signs placed by the Forestry, Land and Parks Department or its agents.
- (m) No person shall place any unauthorized sign on lands under the jurisdiction of the Lincoln County Forestry, Land and Parks Department.
- (n) Notwithstanding other provisions of this chapter, the Forestry, Land and Parks Committee and their agents may, at their discretion, close any and all trails or roads within the County Forest boundaries to protect the trails and roads from damage caused by all forms of motorized or nonmotorized activities.
- (o) Exception. This section shall not apply to any employee of Lincoln County or its agents or representatives conducting County business.

- (p) The statutory provisions set forth in Chs. 110, 340 through 350, §§30.50—30.77 and 23.33, Wis. Stats., relating to regulations for which the penalty is a forfeiture only, including penalties to be imposed and procedures for prosecution are adopted by reference and made part of this chapter, including all existing and future amendments made thereto. Forfeitures for violations of the statutes adopted by reference shall conform to the forfeiture permitted to be imposed for violation of the statutes adopted by reference, including any variation or increases for subsequent offenses.

(3) TRAIL USE RESTRICTIONS.

(a) Restricted Use of Snowmobiles, Utility-Terrain Vehicles and All-Terrain Vehicles (on Trails).

1. All official recreational signs and speed limit signs must be obeyed. No person shall drive in excess of 10 miles per hour on any portion of an approved snowmobile or all-terrain vehicle trail that is posted with a yellow sign indicating "slow", "steep hill", "dip", "turn" or other yellow caution sign.
2. An operator of a snowmobile, UTV or all-terrain vehicle on an approved trail must stop at all locations marked with a red sign indicating "Stop".
3. No person shall operate an all-terrain vehicle on any approved snowmobile and winter all-terrain vehicle trail until 7 calendar days have passed after being officially opened for snowmobile use.
4. No person shall operate an all-terrain vehicle on any approved snowmobile trail when the temperature on the trail at a point of 4 feet above the trail surface is 28° Fahrenheit or higher.
5. No person shall operate an all-terrain vehicle, UTV or licensed motorcycle on any approved all-terrain vehicle trail from March 31 to May 1 or if posted "Closed".
6. Street-legal and licensed motorcycles, driven by licensed operators, are allowed on the all-terrain vehicle trails.

(b) Restricted Use of Horse, Bike and Hiking (on Trails).

1. No person shall operate any unauthorized motor vehicle on the Hiawatha Recreational Trail.
2. No person shall ride a horse or bike off any established logging road, except on designated trails. This activity is referred to as "cross country travel" and is strictly prohibited on lands under the jurisdiction of the Forestry, Land and Parks Department.
3. No person shall operate any unauthorized motor vehicle or ride a horse on the Ice Age Recreational Trail, except when the Ice Age Trail travels concurrently with trails signed for those uses.

(c) Restricted Use of Winter Trails.

1. No person shall operate any type of unapproved motor vehicle, ride a horse or bike on a snowmobile trail, all-terrain vehicle trail or cross country ski trail on Lincoln County Forest lands between the dates of December 1 and March 31, after maintenance activities (dragging) for these trails have commenced.
2. No person shall operate any snowmobile or all-terrain vehicle on any approved snowmobile trail or all-terrain vehicle trail after maintenance activities (dragging) have commenced, until officially opened for this use by the County Snowmobile Coordinator or County Forest Administrator.
3. No person shall operate any snowmobile or all-terrain vehicle on any approved snowmobile trail, all-terrain vehicle trail or cross country ski trail after such trail is officially closed for this use by the County Snowmobile Coordinator or County Forest Administrator.

4. Landowners who permit snowmobiling on their property shall notify the Snowmobile Coordinator if they intend to travel or allow travel on that portion of the approved snowmobile and all-terrain vehicle trail that traverses their property with a vehicle other than a snowmobile or all-terrain vehicle.
5. Holders of woodcutting permits from the County Forest Administrator shall not be permitted to travel on approved snowmobile, all-terrain vehicle or cross country ski trails after maintenance activities (dragging) for these trails have commenced.
6. No person shall park any vehicle or place any obstruction on the groomed portion of any snowmobile, all-terrain vehicle, snowshoe or cross country ski trail.
7. No person shall allow dogs on the cross country ski trail at any time.

(4) ROAD/ROUTE RESTRICTIONS.

- (a) Restricted Use of Snowmobiles, Utility-Terrain Vehicles and All-Terrain Vehicles (on Routes/Roads).
  1. No person shall operate a snowmobile or all-terrain vehicle on primary County Forest roads unless the road is posted open for such use.
  2. All snowmobiles, UTVs and ATVs shall be operated on the extreme right side of the road except for left turns.
  3. All snowmobiles, UTVs and ATVs shall be operated in single-file and yield the right-of-way to other vehicular traffic and pedestrians.

(5) ALL-TERRAIN VEHICLE AND UTILITY TERRAIN VEHICLE ROUTES DESIGNATED.

- (a) The following portions of the County Forest road system (primary roads) are designated as all-terrain and/or utility terrain [vehicle] routes:
  1. Year-Round:
    - a. Armstrong Creek Road.
    - b. Camp Avenue from .55 miles north of CTH E to Newwood Road. (Am. #2014-08-611)
    - c. Wildwood Avenue.
    - d. Cinder Road from the Langlade County line approximately 1.15 miles west to the junction where the snowmobile/ATV trail leaves Cinder Road heading north. (The remainder of Cinder Road west to Parish Road is open for winter use only.)
  2. Winter (Seasonal) Use:
    - a. Cinder Road west of junction where the snowmobile/ATV trail leaves Cinder Road heading north to Parish Road.
    - b. Swamp Road from the junction where Corridor 19 enters Swamp Road from the east (approximately 1.1 miles north) to the junction where Corridor 19 leaves Swamp Road heading west.
  3. Summer (Seasonal) Use (May 1 to December 1): (Cr. #2012-09-592)
    - a. Horn Lake Road.

(6) SNOWMOBILE ROUTES DESIGNATED.

- (a) The following portions of the County Forest road system (primary roads) are designated as snowmobile trails which are open for use between December 1 and March 31 when officially opened for use by the Lincoln County Snowmobile/ATV Coordinator:
  1. Armstrong Creek Road from the junction where Corridor 19 enters Armstrong Creek Road from the south approximately 0.5 miles southwest to the junction where Corridor 19 leaves Armstrong Creek Road heading west.

2. Cinder Road.
  3. Swamp Road from the junction where Corridor 19 enters Swamp Road from the east, approximately 3 miles north to the junction where Corridor 19 leaves Swamp Road heading west.
  4. Wildwood Avenue.
- (7) STATE FORFEITURE STATUTES. Forfeitures for violations of the statutes adopted by reference shall conform to the forfeiture permitted to be imposed for violation of the statutes adopted by reference, including any variations or increases for subsequent violations.

#### 16.09 - LEGAL ACTION.

- (1) CRIMINAL ACTION. Whenever an arrest shall have been made for unlawful cutting on land owned by the County or on which the County holds a tax certificate, the District Attorney shall take appropriate action.
- (2) SEIZURE. Whenever forest products are found known to have been unlawfully severed from County lands, the Sheriff shall on satisfactory evidence seize such material pursuant to §26.06, Wis. Stats., for use by the County or to sell as the Committee may determine.
- (3) CIVIL ACTION. On recommendation of the Committee, a civil action to recover damages for unlawful cutting may be brought as provided by §26.09, Wis. Stats. by the Corporation Counsel. Similarly, civil suit shall be brought against parties responsible for forest fire damage under §26.21, Wis. Stats.
- (4) COOPERATION. The Committee and its appointed administrative agent shall secure information and seek the cooperation of State, County and town officers in securing information required for legal action.
- (5) PENALTIES. (Am #308-97) Any person violating any of the provisions of this chapter shall be subject to a forfeiture of not less than \$5 nor more than \$500, together with costs as provided in §25.04 of this Code of Ordinances.

#### 16.10 - PENALTY.

Except as otherwise provided herein any person found to be in violation of any provision of this chapter or any rule or regulation promulgated hereunder shall be subject to a penalty as provided in §25.04 of this Code of Ordinances.